

REMARKS

Applicant thanks the Patent Office for the careful attention accorded this Application and respectfully request reconsideration in view of the Amendment above and remarks set forth below.

In response to the Office Action mailed March 31, 2006, Applicant has canceled Claims 1-37 without prejudice or disclaimer, and has added rewritten Claims 38-97 for further prosecution on the merits. Also, Applicant has amended the Title of Invention by way of Amendment to correspond more closely with the rewritten claims to invention.

Also, Applicant is submitting under separate cover letter, a Supplemental Information Disclosure Statement (SIDS) in the present Application, based on prior art disclosed in related pending applications.

As rewritten, Claims 38-97 are directed to a novel Internet-based method of and system for managing and delivering consumer product brand marketing communications to consumers at points along the World Wide Web (WWW) --- using Internet-based server-side driven, multi-mode brand marketing communication subsystems (e.g. "multi-mode virtual kiosks") that can be rapidly implemented for each consumer product offered for sale along online and offline marketing and sales channels.

As recited in independent claims 38, 53, 68 and 83, each multi-mode brand marketing communication subsystem is implemented by (i) a computer-executable server-side component (loaded on a first Internet-enabled information server operably connected to the WWW), and (ii) a tag that references the computer-executable server-side component and is embeddable within an HTML-encoded document. Particular aspects of this bifurcated method are covered in Applicant's prior US Patent Nos. 6,625,581 and 6,961,712, and schematically depicted in great detail in Figs. 4E2 through 4F2 of the present Specification.

As recited in independent claims 38, 53, 68 and 83, each multi-mode brand marketing communication subsystem has one or more programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots in a first graphical user interface (GUI), (ii) a promotional display mode for displaying one or more promotional spots in a second GUI, and (iii) a consumer product information (CPI) display mode for displaying a set of consumer product information (CPI) resources in a third GUI.

As recited in the independent apparatus claims 38 and 68:

a second Internet-based subsystem allows the manufacturer and/or authorized parties to program said set of CPI resources for display in the CPI display mode of each said implemented multi-mode brand marketing communication subsystem;

a third Internet-based subsystem allows the manufacturer and/or authorized parties to program one or more advertising spots for display in the advertising display mode of each multi-mode brand marketing communication subsystem; and

a fourth Internet-based subsystem allows the manufacturer and/or authorized parties to program one or more promotional spots for display in the promotional display mode of each multi-mode brand marketing communication subsystem.

As recited in independent claims 38, 53, 68 and 83, manufacturer of a consumer product (and/or authorized parties) is allowed to create and manage, for each consumer product, a consumer product information (CPI) link structure comprising the following items:

- (i) a consumer product identifier assigned to the consumer product, and
- (ii) a set of URLs for a plurality of CPI resources located on the WWW, which can be selected to program the display modes of an implemented multi-mode brand marketing communication subsystem.

Such features allow the manufacturer and/or its authorized parties (e.g. agents) to exercise a high degree of control over their consumer product brand information, regardless of where such consumer product information resources may reside at locations (specified by URLs) on the WWW (e.g. stored on and served from global content delivery networks or CDNs, and Web-enabled content management systems).

Also, upon the Web-browser of the consumer encountering a multi-mode brand marketing communication subsystem tag in an HTML-encoded document, the computer-executable server-side component, corresponding to the encountered tag, is automatically executed, and the GUI of the corresponding multi-mode brand marketing communication subsystem is generated and served to the Web browser for display and review by the consumer (e.g. at the point of purchase consideration on retailer e-commerce sites, or elsewhere along the WWW).

This novel architecture of the Internet-based system of the present invention has a number of important benefits and advantages.

In particular, any branded consumer product manufacturer (and its retail trading partners) can now quickly implement "product-specific" (i.e. UPN-specific) multi-mode brand marketing communication subsystems for each and every product in its supply-chain management system, so that these multi-mode brand marketing communication subsystems are readily available across all of its Internet-based marketing and sales channels, both online and in brick and mortar stores, as well as along non-traditional spaces on the ever-expanding WWW.

As recited in dependent claims 43, 58, 73 and 88, CPI resources displayable within any display mode of an implemented multi-mode brand marketing communication subsystem are indexed to the consumer product's information keys (e.g. UPN, TM and PD), so as to provide brand management teams tight control over precisely what consumer product information will be delivered to consumers when they wish to develop more knowledge about, and/or need decision support on a particular branded consumer product.

As such, the Internet-based system of the present invention enables manufacturers to manage their consumer product information with an unprecedented level of efficiency and strategic advantage along the retail value chain.

Each multi-mode brand marketing communication subsystem of the present invention

can be programmed with e-commerce-enabled links (i.e. URLs) that are designed to transport the consumer to the shopping cart of a retail partner's e-commerce site, or the manufacturer's e-commerce site.

Also, each multi-mode brand marketing communication subsystems implemented on the system of the present invention can function as a virtual product showcase that allows the manufacturer and/or authorized parties (e.g. agents) to deliver consistent brand merchandising, messaging and service to consumers at points of purchase consideration on e-commerce sites of retailer trading partners, and elsewhere along the ever-expanding fabric of WWW, thereby enabling consistent brand imaging across all product marketing and sales communication channels.

Many other benefits of the system and server-side driven multi-mode brand marketing communication technology of the present invention will be apparent in view of the present Specification.

Clear detailed technical support for the claimed invention can be found in Figs. 2A, 2A', 2B1, 2C, 2C1-2C3 3A1-3A8, 3A9-3A-24, 4A1-4D, 4E1-4E2, 4F1-4F2, 4M1-4T2, 9A-21C and 29-43 and at corresponding portions of the present Specification.

Applicant has carefully reviewed the prior art references, and firmly believes, that when taken alone or in combination with each other, the prior art as a whole fails to disclose, teach or suggest the present invention defined by the rewritten claims, specifically, an Internet-based system which supports the implementation and management of multi-mode brand marketing communication subsystems for consumer products on the system, as claimed.

Furthermore, the prior art references of record each fail to disclose, teach or suggest a Internet-based system, as defined by the rewritten claims, offering any of the following features and benefits:

(i) where each multi-mode brand marketing communication subsystem implemented on the system has one or more programmable display modes, namely, an advertising display mode,

a promotional display mode, and a CPI display mode, each of which can be simply programmed by members of a consumer product management and delivery team and/or authorized parties;

(ii) where each multi-mode brand marketing communication subsystem implemented on the system can be simply installed in any HTML-encoded document (e.g. Web page, product image, document or graphical icon) by embedding a simple tag in the HTML-encoded document;

(iii) where each multi-mode brand marketing communication subsystem implemented on the system enables brand-assisted merchandising at points of purchase consideration, both online and in brick and mortar stores, wherein the costs and labor can be covered by the product manufacturers while retail trading partners enjoy the benefits of improved conversion rates attributable to enhanced online product brand merchandising, POS decision support and manufacturer-assisted retail service;

(iv) where brand marketing communications (displayed through the GUI of each multi-mode brand marketing communication subsystem of the present invention) are easily managed and delivered ---i.e. by consumer product management team members creating and managing consumer product information (CPI) link structures for consumer products, thereby providing consumer product management teams tight control over the content used to program any particular multi-mode brand marketing communication subsystem implemented on the system of the present invention; or

(v) where all brand marketing communication content (displayed through the GUI of any multi-mode brand marketing communication subsystem on the system of the present invention) is simply managed by managing CPI link structures for consumer products, while the actual data files associated with such consumer product information resources, including rich-media advertisements, promotions and product demonstrations, can be hosted on any global content delivery network (CDN), such as provided by Akamai Technologies Inc., for high speed delivery over the Internet.

Applicant has carefully considered the other prior art references of record, and firmly believes that these references do not detract from the present invention as defined by the rewritten claims.

Furthermore, by combining the disclosures of the above-cited references, the Internet-based system and method of the claimed invention is just not provided, nor suggested.

Also, Applicant is filing herewith a Terminal Disclaimer based on Applicant's prior US Patent No. 6,625,581 to avoid any basis for double-patenting which the Examiner may deem to exist in view of the rewritten claims to invention.

In view therefore, of the Amendment and Remarks set forth above, the present invention defined by rewritten Claims 38-97 is firmly believed to be neither anticipated by, nor rendered obvious in view of the prior art of record, and that the present application is now in condition for allowance.

A total of four (4) independent claims and fifty six (56) claims in all remain after the amendment of the claims in the present Amendment. Payment for one (1) independent claim and thirty six (36) additional claims is due at this time.

Enclosed in payment of the requisite excess claims fees of \$1000.00 is Thomas J. Perkowski, Esq., P.C. Check No. 5930. The Commissioner is also authorized to charge any fee deficiencies or overpayments to Deposit Account 16-1340. Applicant still qualifies as a small entity for the purpose of paying reduced fees.

Respectfully submitted,

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A handwritten signature in cursive script, reading "Thomas J. Perkowski".

Thomas J Perkowski, Esq.
Date: October 2, 2006